

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**THE CITY OF HUNTINGTON
and CABELL COUNTY
COMMISSION,**

Plaintiffs,

v.

**CIVIL ACTION NO. 3:17-01362
CIVIL ACTION NO. 3:17-01665**

**AMERISOURCEBERGEN
DRUG CORPORATION, et al.,**

Defendants.

**PLAINTIFFS' NOTICE OF WITHDRAWAL OF THEIR MOTION TO ALLOW LIVE
TESTIMONY THROUGH CONTEMPORANEOUS TRANSMISSION (DKT. 794)**

The City of Huntington and Cabell County Commission ("Plaintiffs") hereby give notice that Plaintiffs' Motion to Allow Live Witness Testimony (Dkt. 794) is now moot. Plaintiffs and Defendant McKesson¹ have reached an agreement and have filed a stipulation (Dkt. 879) regarding the witnesses McKesson will produce at trial. Accordingly, Plaintiffs withdraw their motion.

Dated: August 21, 2020

Respectfully submitted,

/s/ Brandon L. Bogle

Brandon L. Bogle (WV PHV-40313)
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¹ The original motion was filed against AmerisourceBergen Drug Corporation and McKesson Corporation. Subsequent the filing of the motion, AmerisourceBergen Drug Corporation entered into a stipulation (Dkt. 828) regarding the witnesses it will produce at trial and, as such, did not file a response to the motion. Therefore, with the agreement now reached with McKesson the motion is moot as to all parties.